

108TH CONGRESS  
1ST SESSION

# H. R. 1435

To amend the Controlled Substances Act and the Controlled Substances Import and Export Act to eliminate certain mandatory minimum penalties relating to crack cocaine offenses.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2003

Mr. RANGEL introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Controlled Substances Act and the Controlled Substances Import and Export Act to eliminate certain mandatory minimum penalties relating to crack cocaine offenses.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Crack-Cocaine Equi-  
5 table Sentencing Act of 2003”.

1 **SEC. 2. TRAFFICKING AMENDMENTS.**

2 (a) 50 GRAM PENALTY.—Section 401(b)(1)(A) of the  
3 Controlled Substances Act (21 U.S.C. 841(b)(1)(A)) is  
4 amended by striking clause (iii).

5 (b) 5 GRAM PENALTY.—Section 401(b)(1)(B) of the  
6 Controlled Substances Act (21 U.S.C. 841(b)(1)(B)) is  
7 amended by striking clause (iii).

8 **SEC. 3. POSSESSION AMENDMENT.**

9 Section 404(a) of the Controlled Substances Act (21  
10 U.S.C. 844(a)) is amended by striking the sentence that  
11 begins “Notwithstanding the preceding sentence”.

12 **SEC. 4. IMPORTATION AMENDMENTS.**

13 (a) 50 GRAM PENALTY.—Section 1010(b)(1) of the  
14 Controlled Substances Import and Export Act (21 U.S.C.  
15 960(b)(1)) is amended by striking out subparagraph (C).

16 (b) 5 GRAM PENALTY.—Section 1010(b)(2) of the  
17 Controlled Substances Import and Export Act (21 U.S.C.  
18 960(b)(2)) is amended by striking out subparagraph (C).

19 **SEC. 5. SENTENCING COMMISSION TO AMEND GUIDELINES.**

20 Not later than 30 days after the date of the enact-  
21 ment of this Act, the United States Sentencing Commis-  
22 sion shall promulgate such amendments to the Sentencing  
23 Guidelines as are necessary to conform those Guidelines  
24 to the amendments made by this Act.

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